UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

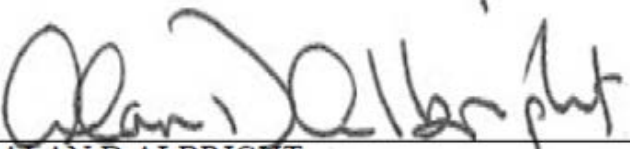|	

MOV-ology LLC,
 	
        Plaintiff,
 	
v.
 	
BigCommerce Holdings, Inc.,
BigCommerce Pty. Ltd., and
BigCommerce, Inc.,
 	
        Defendants.
	Civil Action No. 6:22-cv-00084-ADA
	
	Jury Trial Demanded

Claim Construction Order

The Court hereby issues its claim construction order for the terms in U.S. Pat. Nos.

9,286,282 ('282 patent) and 10,769,358 ('358 patent).

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Final Construction
wherein the data is obtained from the abandoned electronic form without a product feed '282 patent, Claims 3, 11	Plain and ordinary meaning	Indefinite	Plain and ordinary meaning
wherein the data is obtained from the incomplete electronic form without a product feed '358 patent, Claim 3	Plain and ordinary meaning	Indefinite	Plain and ordinary meaning
wherein the electronic form does not include a payment gateway '282 patent, Claims 4, 12	Plain and ordinary meaning	Indefinite	Plain and ordinary meaning

wherein the incomplete electronic form does not include a payment gateway '358 patent, Claims 4, 18	Plain and ordinary meaning	Indefinite	Plain and ordinary meaning
incomplete '358 patent, Claims 1-4, 17-20	Plain and ordinary meaning	"abandoned"	Plain and ordinary meaning
computer hardware configured to determine that an electronic form accessed by a user has been abandoned by the user '282 patent, Claim 9	Plain and ordinary meaning, not subject to § 112, ¶ 6 Alternatively, "a data scraping script configured to determine that an electronic form accessed by a user has been abandoned by the user"	Means-plus-function under § 112, ¶ 6 Indefinite	Plain and ordinary meaning, not subject to § 112, ¶ 6
computer hardware configured to obtain data from the abandoned electronic form with the embedded computer-executable instructions by building a data structure based on the abandoned electronic form and parse the data structure to obtain the at least one HTML element '282 patent, Claim 9	Plain and ordinary meaning, not subject to § 112, ¶ 6 Alternatively, "a data scraping script configured to obtain data from the abandoned electronic form with the embedded computer-executable instructions by building a data structure based on the abandoned electronic form and parse the data structure to obtain the at least one HTML element"	Means-plus-function under § 112, ¶ 6 Indefinite	Plain and ordinary meaning, not subject to § 112, ¶ 6
wherein obtaining the at least one HTML element from the incomplete electronic form comprises scraping the data from the incomplete electronic form '358 patent, Claim 20	Plain and ordinary meaning	Indefinite	Indefinite

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SIGNED this 30th day of September, 2022.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE